

REMARKS

In the non-final Office Action, the Examiner rejects claims 22-27 under 35 U.S.C. § 101; rejects claims 22-25 under 35 U.S.C. § 103(a) as unpatentable over SYVANNE et al. (European Patent Application Publication No. 1,317,112) in view of KAVANAGH (U.S. Patent Application Publication No. 2003/0081607); rejects claims 26 and 27 under 35 U.S.C. § 103(a) as unpatentable over SYVANNE et al. in view of KAVANAGH and GOPAL et al. (“User Plane Firewall for 3G Mobile Network”; Vehicular Technology Conference; IEEE 58th; Vol. 3, October 6, 2003); and allows claims 1-7 and 9-11. Applicants appreciate the Examiner’s indication that claims 1-7 and 9-11 are allowed, but respectfully traverse the rejections.¹

By way of the present amendment, Applicants amend claims 1, 2, 5, 9-11, and 22-27 to improve form. No new matter has been added by way of the present amendment. Claims 1-7, 9-11, and 22-27 are pending.

Rejection under 35 U.S.C. § 101

Claims 22-27 stand rejected under 35 U.S.C. § 101 because the claims as currently presented can allegedly be interpreted as purely software. Without acquiescing in the rejection, but merely to expedite prosecution, Applicants amend claim 22 to recite a GTP firewall device and a Gi firewall device, which are not software. As such, withdrawal of the rejection of claims 22-27 under 35 U.S.C. § 101 is respectfully requested.

Rejection under 35 U.S.C. § 103(a) based on SYVANNE et al. and KAVANAGH

Claims 22-25 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over SYVANNE et al. in view of KAVANAGH. Applicants respectfully traverse this rejection.

¹ As Applicants’ remarks with respect to the Examiner’s rejections overcome the rejections, Applicants’ silence as to certain assertions by the Examiner in the Office Action or certain requirements that may be applicable to such assertions (e.g., whether a reference constitutes prior art, reasons for modifying a reference and/or combining references, assertions as to dependent claims, etc.) is not a concession by Applicants that such assertions are accurate or that such requirements have been met, and Applicants reserve the right to dispute these assertions/requirements in the future.

Amended independent claim 22 recites a system for screening incoming packets that includes a General Packet Radio Service Tunneling Protocol (GTP) firewall device to detect a tear down of a tunnel in response to inspecting packets in the tunnel to detect information associated with a firewall session on a firewall outside the tunnel, the GTP firewall device including a GTP communication module; and a Gi firewall device that includes: a Gi communication module that is operable to receive an instruction from the GTP communication module to clear the firewall session in response to the detection of the tear down of the tunnel, a firewall session list, and a tear down engine that removes inactive firewall sessions associated with the torn down tunnel from the firewall session list when the tear down engine receives the instruction from the GTP communication module. SYVANNE et al. and KAVANAGH, whether taken alone or in any reasonable combination, do not disclose or suggest this combination of features.

For example, SYVANNE et al. and KAVANAGH do not disclose or suggest a GTP firewall device to detect a tear down of a tunnel in response to inspecting packets in the tunnel to detect information associated with a firewall session on a firewall outside the tunnel, the GTP firewall device including a GTP communication module, as recited in amended claim 22. A similar feature is presented in claim 23. The Examiner relies on paragraph 0034 of SYVANNE et al. and paragraph 0010 of KAVANAGH as allegedly teaching feature similar to the feature of amended claim 22 (Office Action, pg. 3). Applicants respectfully disagree with the Examiner's interpretations of SYVANNE et al. and KAVANAGH.

At paragraph 0034, SYVANNE et al. discloses a firewall that filters a GTP tunnel. This section of SYVANNE et al. has nothing to do with detecting a tear down of a tunnel. Therefore, this section of SYVANNE et al. does not disclose or suggest a GTP firewall device to detect a tear down of a tunnel in response to inspecting packets in the tunnel to detect information

associated with a firewall session on a firewall outside the tunnel, the GTP firewall device including a GTP communication module, as recited in amended claim 22.

At paragraph 0010, KAVANAGH discloses:

FIG. 3 is a signaling diagram illustrating the GTP control messages utilized to delete a PDP Context and tear down a GTP Tunnel. The GTP Tunnel can be torn down by initiating a Detach Request 35, by either the operator or the MS 11. A mobile-originated detach request is sent to the SGSN 15 which, in turn, sends a Delete PDP Context Request message 36 to the GGSN 22. The GGSN deletes the PDP Context for this MS and responds with a Delete PDP Context Response message 37 to the SGSN. The SGSN sends an International Mobile Station Identifier (IMSI) Detach Indication 38 and GPRS Detach Indication 39 to the GGSN. The SGSN then deletes the PDP Context, and sends a Detach Accept message 40 to the MS. As a result, the GTP tunnel is deleted.

This section of KAVANAGH discloses the GTP control messages used to tear down a GTP Tunnel. This section of KAVANAGH does not disclose or suggest inspecting packets to detect information associated with a firewall session. In fact, KAVANAGH merely discloses automatically tearing down the tunnel when transmission between two nodes is finished in a known GPRS network (paragraph 0007). Therefore, this section of KAVANAGH cannot disclose or suggest a GTP firewall device to detect a tear down of a tunnel in response to inspecting packets in the tunnel to detect information associated with a firewall session on a firewall outside the tunnel, the GTP firewall device including a GTP communication module, as recited in amended claim 22.

Since SYVANNE et al. and KAVANAGH do not disclose or suggest a GTP firewall device to detect a tear down of a tunnel in response to inspecting packets in the tunnel to detect information associated with a firewall session on a firewall outside the tunnel, the GTP firewall device including a GTP communication module, as recited in amended claim 22, SYVANNE et al. and KAVANAGH cannot disclose or suggest a Gi firewall device that includes a Gi communication module that is operable to receive an instruction from the GTP communication

module to clear the firewall session in response to the detection of the tear down of the tunnel, as further recited in amended claim 22.

For at least the foregoing reason, Applicants submit that claim 22 is patentable over SYVANNE et al. and KAVANAGH, whether taken alone or in any reasonable combination.

Claims 23-25 depend from claim 22. Therefore, these claims are patentable over SYVANNE et al. and KAVANAGH, whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 22.

Rejection under 35 U.S.C. § 103(a) based on SYVANNE et al., KAVANAGH, and GOPAL et al.

Claims 26 and 27 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over SYLVANNE et al. in view of KAVANAGH and GOPAL et al. Applicants respectfully traverse this rejection.

Claims 26 and 27 depend from claim 22. Without acquiescing in the rejection of claims 26 and 27, Applicants submit that the disclosure of GOPAL et al. does not remedy the deficiencies in the disclosures of SYLVANNE et al. and KAVANAGH set forth above with respect to claim 22. Therefore, claims 26 and 27 are patentable over SYVANNE et al. and KAVANAGH, whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 22.

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner's reconsideration of this application, and the timely allowance of the pending claims.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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